

REMARKS

Entry of this amendment is respectfully requested.

Claim 23 has been canceled, and new claim 24 is provided in its place. Thus, the objections of claim 23 are rendered moot.

Claims 12-14, 17 and 23 were rejected under 35 U.S.C. §102(b) over Argoitia. Claim 18 was rejected under 35 U.S.C. §103(a) over Argoitia. Claims 15-16 were rejected under 35 U.S.C. §103(a) over Argoitia in view of Nelson. Applicants respectfully traverse each rejection.

Claim 12 relates to a layer system comprised of at least three layers, including a first and a second reflecting layer and a light-transmissible intermediate layer arranged between the first and second reflecting layer. The functions of these layers are, therefore, clearly defined. The first and second layers are provided to reflect incoming light and the intermediate layer lets the light pass i.e., it does not reflect or absorb light.

Argoitia discloses a system (see figure 1 A, as cited by the examiner) with a first reflecting layer 14, an intermediate layer 16 and an absorber layer 18. The first layer 14 is thus also a reflective layer, thus Argoitia discloses a first reflective layer on a substrate. This layer can comprise, for instance, Al (col. 5, lines 3 to 7), i.e., a base material.

Intermediate layer 16 comprises a dielectric material (col. 5, lines 13 to 16), for instance Al_2O_3 . This layer 16 is transparent to visible light (col. 6, lines 14 to 16). Therefore, Argoitia discloses that a light-transmissible layer should be provided on top of the reflective layer 14. However, layer 18 is an absorber layer and not a reflective layer.

Layer 18 absorbs at least some of the light (col. 5, lines 34 to 39). By absorbing some of the light not all of the light reaches the layers 14 and 16.

The properties of such a layer system having a light absorbing and a light reflecting layer instead of two light reflecting layers is completely different, because by absorbing light, the system absorbs energy. In the layer system according to claim 12 no

light, i.e., energy, is absorbed. Instead some of the light is reflected. Hence, the composition of the layers 18 and 14 is also different. As can be seen from col. 5, lines 44 to 48 of Argoitia, the absorber layer can comprise aluminum sub-oxide ($\text{Al}_2\text{O}_{>3}$), whereas the reflecting layer comprises Al, i.e., no oxide.

Thus, Argoitia discloses a system with a first reflecting layer 14 (e.g. Al), a second absorbing layer 18 (e.g., Al_2O_3), wherein the first reflecting layer comprises a base material and the intermediate layer and the absorber layer comprise a compound of the base material (i.e., Al) and a further material (i.e., oxygen).

Since Argoitia discloses a different system with different properties, therefore, Argoitia does not disclose the subject matter of claim 12.

Nelson fails to disclose all features of claim 12, because Nelson discloses a system with an iridescence-suppressing layer and an anti-reflecting layer (col. 5, lines 34 to 40). Nelson does not disclose a reflecting layer. Nelson does not remedy the deficiencies of Argoitia.

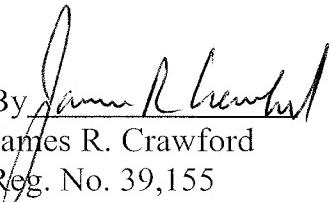
Furthermore, none of these references discloses or suggests to provide two reflective layers comprising one base material only, so none of the claims are obvious over the cited references.

In view of the foregoing, allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-AFILM-204-US.

Respectfully submitted

FULBRIGHT & JAWORSKI L.L.P.

By 
James R. Crawford
Reg. No. 39,155

666 Fifth Avenue
New York, New York 10103
(212) 318-3000